

Filed for intro on 02/15/95
House Bill _____
By _____

Senate No. SB1509
By Crutchfield

AN ACT to amend Tennessee Code Annotated, Sections 2-5-211, 2-6-101, 2-6-105, 2-6-108, 2-6-109, 2-6-111, and 2-6-304, relative to early voting procedures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. , is amended by deleting the section in its entirety and by substituting instead the following:

Persons voting early are entitled to the same assistance in voting they would be entitled to if they appeared to vote on election day. The procedures under § 2-7-116 govern how assistance should be given.

SECTION 2. Tennessee Code Annotated, Section 2-6-108, is amended by deleting the section in its entirety and by substituting instead the following:

In each county, the county election commissioners of the minority party may appoint one (1) early voting deputy registrar-at-large who shall receive as compensation for each day spent in such service the same pay as an election official in the county for which such person is appointed.

SECTION 3. Tennessee Code Annotated, Section 2-6-109, is amended by deleting subdivision (a)(3) in its entirety.

SECTION 4. Tennessee Code Annotated, Section 2-6-109, is amended by deleting subsection (b) and substituting instead the following:

The voter shall show the unmarked ballot to the early voting official, mark the ballot in secret at the place provided in the commission office, either fold the ballot or place it in a secrecy sleeve provided by the election commission in order to preserve the secrecy of the ballot, and return to the early voting official.

SECTION 5. Tennessee Code Annotated, Section 2-6-109, is amended by deleting subdivision (c)(1) in its entirety and substituting instead the following:

The early voting official shall direct the voter to the correct general election early voting ballot box and/or party primary early voting ballot box according to the election and precinct in which the voter voted. The voter shall deposit his or her ballot in the appropriate ballot box or boxes.

SECTION 6. Tennessee Code Annotated, Section 2-6-111, is amended by deleting the second sentence in its entirety.

SECTION 7. Tennessee Code Annotated, Section 2-6-304, is amended by deleting subdivision (a)(1) in its entirety and substituting instead the following:

The absentee ballot counting board shall unlock and open each ballot box in the presence of a majority of the judges and break the seals upon verification that the numbers are the same. All of the sealed absentee ballot envelopes with attached affidavits and early voting ballots shall be removed from the respective ballot boxes. If there is no challenge to a ballot, the counting board shall tear the affidavit from the absentee ballot envelope leaving the envelope sealed. All affidavits so removed shall be gathered together and placed in envelopes provided for that purpose for each election being held.

SECTION 8. Tennessee Code Annotated, Section 2-6-304, is amended by deleting subsection (c) and substituting instead the following:

The counting board official shall then open the sealed absentee ballot envelopes, remove the absentee ballots and count and record the absentee ballot votes and the early voting ballot votes. In no event may the votes for any candidate be totaled until after all polls in the county are closed.

SECTION 9. Tennessee Code Annotated, Section 2-6-101(b), is amended by deleting the phrase “under § 2-3-101”.

SECTION 10. Tennessee Code Annotated, Section 2-6-304(e), is amended by deleting the fourth sentence and substituting instead the following:

If a county election commission authorizes the use of a mechanical or electronic voting machine for early voting, the commission shall remove the vote totals according to rules promulgated by the coordinator of elections.

SECTION 11. Tennessee Code Annotated, Section 2-5-211, is amended by deleting subsection (b) and substituting instead the following:

The county election commission shall, at least five (5) days before the beginning of an early voting period and at least five (5) days before an election, publish a sample ballot in a newspaper of general circulation. Where voting machines are used, the sample ballot shall be the machine sample ballot. The sample ballot shall contain the names of all candidates and all offices and a statement of all questions on which voters may vote.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

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